

NO EXPOSURE CERTIFICATION for Exclusion from UPDES Storm Water Permitting⁽¹⁻⁰¹⁾

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY
195 North 1950 West, P.O. BOX 144870, SALT LAKE CITY, UTAH 84114-4870

Submission of this No Exposure Certification constitutes notice that the entity identified in Section A does not require permit authorization for its storm water discharges associated with industrial activity in the State of Utah due to the existence of a condition of no exposure.

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snow melt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. A storm resistant shelter is not required for the following industrial materials and activities:

- drums, barrels, tanks and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. “Sealed” means banded or otherwise secured and without operational taps or valves;
- adequately maintained vehicles used in material handling; and
- final products, other than products that would be mobilized in storm water discharges (e.g., rock salt).

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from UPDES permitting is available for a facility-wide basis only and is not applicable to individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

By signing and submitting this No Exposure Certification from, the entity in Section A is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of *Utah Administrative Code (UAC) R317-8-3.9*.

ALL INFORMATION MUST BE PROVIDED ON THIS FORM AND THE \$150 FEE SUBMITTED.

Detailed instruction for completing this form and obtaining the no exposure exclusion from permitting are provided on page 3.

No Exposure Certifications are valid for a period of five years. After that time a new certification and fee must be submitted.

[illegible]

1. Name:	2. Phone:
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3. Mailing Address a. Street:

b. City:	c. State:
d. Zip Code:	

B. Facility/Site Location Information

1. Facility Name:

2. a. Street Address:

b. City:

c. County:

d. State: | | e. Zip Code: | | | | | | | | | |

3. Is the facility located on Indian Lands? Yes ☐ No ☐

4. a. Latitude: | | | ° | | ' | | " b. Longitude: | | | ° | | ' | | "

5. a. Was the facility or site previously covered under a UPDES storm water permit? Yes ☐ No ☐

b. If yes, enter UPDES Permit number: _____

6. a. SIC/Activity Codes: Primary: | | | | Secondary (if applicable): | | | |

7. Total size of site associated with industrial activity: _____ acres

8. a. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? Yes ☐ No ☐

b. If yes, please indicate approximately how much area was paved or roofed over:

Less than one acre ☐ One to five acres ☐ More than five acres ☐

C. Exposure Checklist

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?
(Please check either “Yes” or “No” in the appropriate box.) If you answer “Yes” to any of these questions (1) through (11),
you are not eligible for the no exposure exclusion.

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment are exposed to storm water. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 2. Materials or residuals on the ground or in storm water inlets from spills/leaks. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 3. Materials or products from past industrial activity. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 4. Material handling equipment (except adequately maintained vehicles) | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 5. Materials or products during loading/unloading or transporting activities | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 6. Materials or products stored outdoors (except final products intended for outside use where exposure to storm water does not result in the discharge of pollutants) | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks and similar containers | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 8. Materials or products handled/stored on roads or railways owned or maintained by the discharger | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 9. Waste material (except waste in covered non leaking containers) | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 10. Application or disposal of process wastewater (unless otherwise permitted) | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated and evident in the storm water outflow | Yes <input type="checkbox"/> No <input type="checkbox"/> |

D. Certification Statement

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of “no exposure” and obtaining an exclusion from UPDES storm water permitting.

I certify under penalty of law that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility or site identified in this document.

I understand that I am obligated to submit a no exposure certification form once every five years to the Utah Division of Water Quality and understand that I must obtain coverage under a UPDES permit prior to any point source discharge of storm water from the facility.

Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name:

Date:

Signature: _____

Where to File

Mail the completed no exposure certification form to:
Department of Environmental Quality
Division of Water Quality
P.O. Box 144870
Salt Lake City, UT 84114-4870

Fees: Beginning July 1, 2018, the fee will be \$150.00 for the five-year certification period. The fee may be payable by check made out to The Division of Water Quality.

Completing the Form

You must type or print, using uppercase letters, in appropriate areas only. Enter only one character per space (i.e., between the marks). Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the above address.

Section A. Facility Operator Information

1. Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this certification. The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager.
2. Provide the telephone number of the facility operator.
3. Provide the mailing address of the operator (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.

Section B. Facility/Site Location Information

1. Enter the official or legal name of the facility or site.
2. Enter the complete street address (if no street address exists, provide a geographic description), city, county, state, and zip code.
3. Indicate whether the facility is located on Indian Lands.
4. Enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic maps, by calling 1-(888) ASK-USGS, or by accessing EPA's web site at <http://www.epa.gov/owm/sw/industry/index.htm> and selecting Latitude and Longitude Finders under the Resources/Permit section. Latitude and longitude for a facility in decimal form must be converted to degrees (°), minutes ('), and seconds (") for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the following example.
Example: Convert decimal latitude 45.1234567 to degrees (°), minutes ('), and seconds (").
 - a) The numbers to the left of the decimal point are the degrees: 45 °.
 - b) To obtain minutes, multiply the first four numbers to the right of the decimal point by 0.006: $1234 \times 0.006 = 7.404$.
 - c) The numbers to the left of the decimal point in the result obtained in (b) are the minutes: 7'.
 - d) To obtain seconds, multiply the remaining three numbers to the right of the decimal from the result obtained in (b) by 0.06: $404 \times 0.06 = 24.24$. Since the numbers to the right of the decimal point are not used, the result is 24".
 - e) The conversion for 45.1234567 = 45 ° 7' 24".
5. Indicate whether the facility was previously covered under an UPDES storm water permit. If so, include the permit number.
6. Enter the 4-digit SIC code which identifies the facility's primary activity, and second 4-digit SIC code identifying the facility's secondary activity, if applicable. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987.
7. Enter the total size of the site associated with industrial activity in acres.

Acres may be determined by dividing square footage by 43,560, as demonstrated in the following example.

Example: Convert 54,450 ft² to acres

Divide 54,450 ft² by 43,560 square feet per acre:

$54,450 \text{ ft}^2 \div 43,560 \text{ ft}^2/\text{acre} = 1.25 \text{ acres}$.

8. Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

Section C. Exposure Checklist

Check "Yes" or "No" as appropriate to describe the exposure conditions at your facility. If you answer "Yes" to ANY of the questions (1) through (11) in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure.

You must obtain (or already have) coverage under an UPDES storm water permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of storm water exposed to industrial activity, and then certify to a condition of no exposure.

Section D. Certification Statement

State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows: For a corporation: by a responsible corporate officer, which means:

- (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
- (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official.

Obtaining and Maintaining the No Exposure Exclusion

This form is used to certify that a condition of no exposure exists at the industrial facility or site described and must be re-submitted at least once every five years. The industrial facility operator must maintain a condition of no exposure its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and activities to storm water, the facility operator must obtain coverage under an UPDES storm water permit immediately.